IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No: 23196 of 2004

Between:

1 Madasi Vikuntam, S/o.Kanakaih,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
2 Madasi Krishna, S/o.Mallaiah,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
3 Sripathi Kalyan, S/o.Kanakaih,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
4 Pantham Devender, S/o.Sammayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
5 Gade Vijay, S/o.Yellayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
6 Gade Srinivas, S/o.Gattayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
7 Kadagandla Raju, S/o.Gattayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
8 Gadipi Sagar, S/o.Yellayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
9 Jakkula Raju, S/o.Komarayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
10 Kanukuntla Santhosh, S/o.Ramchander,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
11 Sathala Sammaiah, S/o.Lakshmaiah,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
12 Madasi Anil, S/o.Komarayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.

13 Gade Mohan, S/o.Konnela,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
14 Satharasi Srinivas, S/o.Ilayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
15 Selluru Rajendhar, S/o.Illaiah,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
16 Morre Prasad, S/o.Sammayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.

17 Renukuntla Durgayya, S/o.Yellayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
18 Sivaveru Vijay, S/o.Veeraswamy,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
19 Madsi Kamalakar, S/o.llayya,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.
20 Lavudya Swamy, S/o.Deva,
R/o.Gundla Singaram Village, Hanumakonda Mandal, Warangal District.

..... PETITIONERS

AND

1 The Assistant Commissioner of Labour, Warangal, Warangal District.
2 The District Collector, Warangal, Warangal District.
3 The Joint Collector-Cum-Chairman I.M.L.Depot, Warangal, Warangal District.
4 The District Manager, I.M.L., Depot, Gudla Singaram Village, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, particularly a writ in the nature of mandamus, declaring the action of the respondents herein in not engaging the petitioners as Hamalies for loading and unloading work in the 4th respondent I.M.L.Depot, and trying to engage non-local people and consequently direct the respondents to consider and engage the petitioners as Hamalies for loading and unloading work in the 4th respondent Depot.

Counsel for the Petitioner: MR.G.SIMHADRI

Counsel for the Respondents 1&2: GP FOR LABOUR

Counsel for the Respondents 3&4: GP FOR EXCISE AND PROHIBITION

The Court at the admission stage made the following:

ORDER:

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The petitioners claim to be unemployed persons living at Gundla Singaram Village, Hanumakonda Mandal, Warangal District. According to them, there is an I.M.L Depot in the village, wherein huge quantities of Liquor are stored by the A.P.State Beverages Corporation for supply to the dealers. Their grievance is that respondents 3 and 4 are engaging labourers from outside for loading and unloading the material in the godown. They seek direction to the respondents to engage them as and when

work is available.

Heard learned counsel for the petitioner and learned Government Pleader for Excise and Prohibition.

It is too difficult to grant any definite relief to the petitioners, having regard to the nature of the subject matter. The loading and unloading of the packages of Liquor is not governed by any particular Statute. The engagement of labour depends on the supply and demand and no positive direction as such can be given. However, if adequate labourers are available at the place where the godown is situated, they deserve to be engaged. It would also be beneficial for the respondents to engage locally available persons, than to bring labourers from outside.

Hence, the writ petition is disposed of directing that the 4th respondent shall consider the feasibility of engaging the petitioners and other available local individuals for loading and unloading the packages of Liquor in the godown. There shall be no order as to costs.

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16.12.2004

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To

1 The Assistant Commissioner of Labour, Warangal, Warangal District.
2 The District Collector, Warangal, Warangal District.
3 The Joint Collector-Cum-Chairman I.M.L.Depot, Warangal, Warangal District.
4 The District Manager, I.M.L., Depot, Gudla Singaram Village, Warangal District.

5 2 CCs to the G.P. for Labour, High Court Buildings, Hyderabad (OUT).

6 2 CCs to the G.P. For Excise and Prohibition, High Court

Buildings, Hyderabad.(OUT)

6 2 CD copies.